

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
Plaintiff, ) 8:16CR20  
vs. )  
JAIME HUNDLEY, )  
Defendant. ) ORDER

This matter is before the court on the motion to continue by defendant Jaime Hundley (Hundley) (Filing No. 31). Hundley seeks a continuance of the trial of this matter was scheduled for November 7, 2016. Hundley's counsel represents that government's counsel has no objection to the motion. Hundley represents he and the government are finalizing a diversion agreement. Upon consideration, the motion will be granted to allow the parties to finalize a diversion agreement.

**IT IS ORDERED:**

1. Such final agreement shall be presented to Judge Rossiter for approval on or before December 9, 2016. See 18 U.S.C. § 3161(h)(2).
2. Hundley's motion to continue trial (Filing No. 31) is granted. In the event the final diversion agreement is not timely approved, the trial of this matter will be reset forthwith.
3. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **November 4, 2016, and December 9, 2016**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that counsel require additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B) and § 3161(h)(2).

DATED this 4th day of November, 2016.

BY THE COURT:  
s/ Thomas D. Thalken

United States Magistrate Judge